



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/189,028	11/10/98	RASMUSSEN	G 3469.224-US

STEVE T ZELSON
NOVO NORDISK OF NORTH AMERICA INC
405 LEXINGTON AVENUE
SUITE 6200
NEW YORK NY 10017

HM22/0801

EXAMINER

ART UNIT PAPER NUMBER

1652

DATE MAILED:

08/01/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☒ This communication is responsive to substitute specification + amend of 4/25/00
- ☒ The allowed claim(s) is/are 50-70
- ☐ The drawings filed on _____ are acceptable.
- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☒ received in Application No. (Series Code/Serial Number) 08/389,423
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

- ☒ Applicant MUST submit NEW FORMAL DRAWINGS

- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☒ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached ^{substitute} ~~hereto~~ or to Paper No. 5.
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☒ Examiner's Amendment/Comment



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

HM12/0801

STEVE T ZELSON
NOVO NORDISK OF NORTH AMERICA INC
405 LEXINGTON AVENUE
SUITE 6200
NEW YORK NY 10017

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/129,028	11/10/98	021	HOBBS, L	1652 08/01/00
First Named Applicant	RASMUSSEN, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION

CELLULASE PREPARATION COMPRISING AN ENDOGLUCANASE ENZYME

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 3469.224-US	435-200.000	015	UTILITY	NO	\$1210.00	11/01/00

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

9/D

Serial No.: 09/189,028

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Art Unit: 1652

DETAILED ACTION

1. This application has been filed with informal drawings which are acceptable for examination purposes only, please refer to the substitute PTO-948 form attached to Paper No. 5, mailed August 31, 1999, for details. Since the application is in condition for allowance, formal drawings are now required.

2. The substitute specification submitted April 24, 2000 has been accepted and made of record.

3. Claims 50-70 are pending in this application; claims 1-49 were cancelled by applicant.

4. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

5. At page 2, after line 30, which reads "cellulosic materials", and before the heading "Detailed Disclosure of the Invention", please insert:

--BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 illustrates the creation of the *Aspergillus* expression vector pToC 68.

Figure 2 illustrates the cloning strategy for the cloning of the full-length cDNA molecule encoding the 43 kD endoglucanase from *Humicola insolens* strain DSM 1800.--

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6. Authorization for this Examiner's Amendment was given in a telephone interview with Elias J. Lambiris on July 31, 2000.

7. The following is an Examiner's Statement of Reasons for Allowance:

5 Following a diligent search it was determined that the prior art neither teaches nor suggests a DNA construct encoding an endoglucanase, wherein said construct comprises a sequence from which a PCR fragment may be amplified using the specified sets of sense and antisense primers.


10 Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

15 8. Any inquiry concerning this communication or earlier communications should be directed to Lisa J. Hobbs whose telephone number is (703) 308-6573. The examiner can normally be reached on Mondays through Thursdays from 6:30 a.m. to 4:00 p.m. The examiner can also be reached on alternate Fridays from 6:30 a.m. to 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy, can be reached at (703) 308-3804.

20 Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

25 Certain papers related to this application may be submitted to Technology Center 1600 by facsimile transmission to the attention of the examiner in Art Unit 1652. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (October 19, 1988) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The FAX telephone number is (703) 308-4242. Note: If applicants do submit a paper by facsimile, the original signed copy should be retained by applicants or applicants' representative. No duplicate copies should be submitted so as to avoid the processing of duplicate papers in the Office.

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Lisa J. Hobbs, Ph.D.
Primary Examiner
Art Unit 1652

July 31, 2000

